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10	U	INITED STATES	DISTRI	CT COURT	
11	NORTHERN DISTRICT OF CALIFORNIA				
12	SAN JOSE DIVISION				
13					
14	ARNOLD WANDEL, individ	lually and on beha	ılf)	CASE NO.:	CV 08-3543 (SC)
15	of all others similarly situated Plaintiff,	,)	STIPULAT	TION AND [PROPOSED] KTENDING TIME FOR
16	V.)	DEFENDA COMPLAI	NTS TO RESPOND TO
17	HERBERT W. BOYER, Ph.D) WILLIAM M)		
18	BURNS, ERICH HUNZIKER JONATHAN K.C. KNOWLE	R, Ph.D.,) I R)		
19	D. LEVINSON, Ph.D., DEBR CHARLES A. SANDERS, M	A L. REED,)		
20	INC., AND ROCHE HOLDIN	NG AG,)		
21	Defendants.)		
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	STIPULATION AND [PROPOSED] ORD	ER	-1-		3422435_2.DOC

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND CV 08-3543, CV 08-3720, CV 08-3753

1	JOHN P. McCARTHY PROFIT SHARING PLAN, individually and on behalf of all Others similarly situated		
2	similarly situated,)		
3	Plaintiff,)		
4	v.)		
5	GENENTECH, INC., ROCHE HOLDING, LTD, ROCHE HOLDINGS, INC., ROCHE HOLDING)		
6	AG, ARTHUR D. LEVINSON, HERBERT W.) BOYER, WILLIAM M. BURNS, ERICH)		
7	HUNZIKER, JONATHAN K.C. KNOWLES,) DEBRA L. REED, AND CHARLES SANDERS,)		
8	Defendants.)		
9	<u> </u>		
10	ERNEST GOTTDIENER, on behalf of himself and) CASE NO.: CV 08-3753 (JL) all others similarly situated,		
11	Plaintiff,		
12	v.)		
13	ARTHUR D. LEVINSON, Ph.D., CHARLES A.) SANDERS, M.D., JONATHAN K.C. KNOWLES,)		
14	Ph.D., WILLIAM M. BURNS, ERICH) HUNZIKER, Ph.D., HERBERT W. BOYER,)		
15	Ph.D., DEBRA L. REED, GENENTECH, INC. and ROCHE HOLDING AG,		
16	Defendants.)		
17			
18			
19	WHEREAS, Plaintiff Arnold Wandel filed a Complaint on July 23, 2008 against		
20	Defendants Herbert W. Boyer, Ph.D., William M. Burns, Erich Hunziker, Ph.D., Jonathan K.C.		
21	Knowles, Ph.D., Arthur D. Levinson, Ph.D., Debra L. Reed, Charles A. Sanders, M.D.,		
22	Genentech, Inc., and Roche Holding AG;		
23	WHEREAS, Plaintiff John P. McCarthy Profit Sharing Plan filed a Complaint on August		
24	4, 2008 against Defendants Genentech, Inc., Roche Holding, LTD, Roche Holdings, Inc., Roche		
25	Holding AG, Arthur D. Levinson, Herbert W. Boyer, William M. Burns, Erich Hunziker,		
26	Jonathan K.C. Knowles, Debra L. Reed, and Charles Sanders;		
27	WHEREAS, Plaintiff Ernest Gottdiener filed a Complaint on August 5, 2008 against		
28	Defendants Arthur D. Levinson, Ph.D., Charles A. Sanders, M.D., Jonathan K.C. Knowles,		
	200105 2 200		

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND CV 08-3543, CV 08-3720, CV 08-3753

1	Ph.D., William M. Burns, Erich Hunziker, Ph.D., Herbert W. Boyer, Ph.D., Debra L. Reed,		
$_{2}$	Genentech, Inc., and Roche Holding AG;		
3	WHEREAS, the undersigned parties have met and conferred and anticipate that these		
4	actions are related;		
5	WHEREAS, the undersigned parties further anticipate that these related actions will be		
6			
	consolidated and that, following appointment of a lead plaintiff and lead counsel by the Court, a		
7	Consolidated Amended Class Action Complaint will be filed;		
8	WHEREAS, no defendant, by agreeing to this stipulation, waives any right to object to		
9	service or the jurisdiction of this Court;		
10	WHEREAS, the undersigned parties wish to avoid burdening the Court with unnecessary		
11	motion practice;		
12	IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned,		
13	subject to approval of the Court, as follows:		
14	1. No defendant need respond to a	any of the initial complaints filed in the above-	
15	captioned matters;		
16	2. Lead Plaintiffs shall file a Cons	solidated Amended Class Action Complaint no	
17	later than sixty (60) days after the appointment	t of Lead Plaintiffs and approval of Lead Counsel;	
18	3. Defendants shall answer or other	erwise respond to the Consolidated Amended	
19	Complaint no later than forty-five (45) days af	ter the Consolidated Amended Complaint is filed.	
20			
21	Dated: August 21, 2008	Respectfully submitted,	
22		WILSON SONSINI GOODRICH & ROSATI	
23		Professional Corporation	
24			
25		By: /s/ Ignacio E. Salceda	
26		Attorneys for Defendants	
27		GENENTECH, INC. AND ARTHUR D. LEVINSON	
28			
	II .		

	Case 3:08-cv-03543-SC	Document 6	Filed 08/21/2008 Page 4 of 6
1 2	Dated: August 21, 2008		DAVIS POLK & WARDWELL 450 Lexington Avenue New York, NY 10017 Telephone: (212) 450-4000
3			Facsimile: (212) 450.3800
4			and
5 6			DAVIS POLK & WARDWELL 1600 El Camino Real Menlo Park, CA 94025
7			Telephone: (650) 752-2000 Facsimile: (650)752-2111
8			
9			By:/s/Lawrence Portnoy
10			Attorneys for Defendant
11			Roche Holdings, Inc.
12	D . 1 . A		I ATHAM O WATERING LLD
13	Dated: August 21, 2008		LATHAM & WATKINS, LLP 140 Scott Drive Martle Parks CA 04025
14			Menlo Park, CA 94025 Telephone: (650) 328-4600 Facsimile: (650) 463-2600
15			
16			By:Paul H. Dawes
17			Attorneys for Defendants
18			Herbert W. Boyer, Ph.D., Debra L. Reed, and <i>specially appearing</i> , Charles A. Sanders
19 20			
21	Dated: August 21, 2008		WOLF HALDENSTEIN ADLER FREEMN & HERZ, LLP
22			Francis M. Gregorek Betsy C. Manifold
23			Rachele R. Rickert 750 B Street, Sute 2770
24			San Diego, CA 92101 Telephone: (619) 239-4599
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27			By:/s/Betsy C. Manifold
28			Attorneys for Plaintiff Arnold Wandel, and all others similarly situated
	STIPULATION AND [PROPOSED] ORDI EXTENDING TIME TO RESPOND CV 08-3543, CV 08-3720, CV 08-37		-4- 3422435_2.DOC

		3
1		WOLF HALDENSTEIN ADLER FREEMN
2 3		& HERZ, LLP 270 Madison Avenue New York, NY 10016
4		Telephone: (212) 545-4600 Facsimile: (212) 545-4653
5		-and-
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9		
10	Dated: August 21, 2008	SPECTOR, ROSEMAN & KODROFF, P.C. Robert M. Roseman
12		Jay Cohen Andrew Abramowitz
13		Rachel E. Kopp 1818 Market Street, Suite 2500
14		Philadelphia, PA 19103 Telephone: (215) 496-0300
15		Facsimile: (215) 496-6611
16		
17		By: /s/ Andrew D. Abramowitz
18		Attorneys for Plaintiff John P. McCarthy Profit
19		Sharing Plan, Class Members, and all others similarly situated
20		-and-
21		LEVY, RAM & OLSON Michael F. Ram
22		639 Front Street, 4 th Floor San Francisco, CA 94111
23		Telephone: (415) 433-4949 Facsimile: (415) 433-7311
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STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND CV 08-3543, CV 08-3720, CV 08-3753

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1	Dated: August 21, 2008	KAPLAN, FOX & KILSHEIMER, LLP
2		Laurence D. King Louis A. Kessler
3		350 Sansome Street, Suite 400 San Francisco, CA 94104
4		Telephone: (415) 772-4700 Facsimile: (415) 772-4707
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6		By:/ _{S/} Laurence D. King
7		
8		Attorneys for Plaintiff Ernest Gottdiener, and all others similarly situated
9		-and-
10		BULL & LIFSHITZ, LLP Peter D. Bull
11		Joshua M. Lifshitz 18 East 41 st Street
12		New York, NY 10017 Telephone: (212) 213-6222
13		Facsimile: (212) 213-9405
14		
15		
16		<u>ORDER</u>
17	PURSUANT TO STIPULATION	N, IT IS SO ORDERED.
18		
19	Dated:	United States District Judge
20		Office States District stage
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	STIPULATION AND [PROPOSED] ORDER	_6_ 3422435_2.DOC

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND CV 08-3543, CV 08-3720, CV 08-3753